

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-21209-2020 (O&M)
Date of Decision:-7.12.2020

Paramvir and others ... Petitioners

Versus

State of Haryana and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Saurabh Bajaj, Advocate for the petitioners.

Mr. Karan Sharma, AAG, Haryana.

Mr. Sukhtej Singh, Advocate for the complainant.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

CRM-26345-2020

In view of the reasons mentioned in the application, the same is allowed and documents annexed with the application are taken on record as Annexures A-1 to A-5 subject to all just exceptions.

CRM-M-21209-2020

1. The petitioners have approached this Court seeking quashing of FIR No.0111 dated 29.11.2017 registered at Police Station Women Police Station, Karnal, District Karnal (Haryana) under Sections 406, 506 and 498-

A of Indian Penal Code as well as order dated 14.6.2019 (Annexure P-6) passed by learned Judicial Magistrate 1st Class, Karnal, declaring the petitioners as 'Proclaimed Offender', and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

2. Pursuant to interim directions issued by this Court, the statement of Sh. Shamsher Bahadur-petitioner No.2, Special Power of Attorney of petitioners No.1 and 3, Paramveer and Krishna, and also the statement of complainant Priyanka have been recorded wherein the complainant Priyanka specifically stated that the matter has since been compromised amongst the parties with the intervention of respectables and that she does not wish to proceed with the FIR and has no objection if the same is quashed.
3. The report of learned Judicial Magistrate 1st Class, Karnal is specific to the effect that the compromise amongst the parties appears to be genuine and has been effected without any pressure, coercion or any undue influence..
4. In view of the aforestated position, wherein this Court finds that the FIR was infact an outcome of matrimonial discord which has been resolved amongst the parties amicably, continuation of the instant FIR would not serve any useful purpose. The petition, as such, is as such, is accepted and FIR No.0111 dated 29.11.2017 registered at Police Station Women Police Station, Karnal, District Karnal (Haryana) under Sections 406, 506 and 498-A of Indian Penal Code is hereby quashed qua the petitioners.
5. Similarly, since even the order declaring the petitioner No.1 as 'Proclaimed Offender' came to be passed in the matter arising out of the FIR, which was basically an outcome of matrimonial discord which stands resolved, a lenient

approach can be adopted in the matters of such impugned orders passed in cases of matrimonial disputes as no useful purpose would be served by further forcing either of the parties to face any kind of action or prosecution. Rather efforts should be made to enable them to move ahead in their lives in case they have chosen to settle their dispute amicably. Thus, while taking a lenient view in the matter, the order dated 14.6.2019 (Annexure P-6) passed by learned Judicial Magistrate 1st Class, Karnal, declaring the petitioner No.1 as 'Proclaimed Offender' is hereby quashed.

6. The aforesaid order i.e. setting aside the order declaring the petitioner No.1 as 'Proclaimed Offender' is, however, subject to the condition that the petitioner No.1 shall deposit an amount of ₹1 lakh as costs with High Court Legal Services Authority, Chandigarh, within a period of one month from today.

7.12.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking

Yes / No

Whether reportable

Yes / No